

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

Case No. 3:10-CV-01172-JE

JANE DOE, a minor individual proceeding
under an assumed name, by and through her
Guardian *Ad Litem*, Farley, Piazza &
Associates,

Plaintiff,

v.

GLADSTONE SCHOOL DISTRICT;

Defendant.

STIPULATED JUDGMENT OF
DISMISSAL

Plaintiff having orally moved to dismiss the second amended complaint under FRCP 41(a)(2), and the parties having stipulated and agreed that said dismissal should be conditioned upon the following terms, it is

HEREBY ORDERED AND ADJUDGED:

1. Plaintiff's claim for relief under Title VI of the 1964 Civil Rights Act (42 U.S.C. §2000(d) is dismissed without prejudice;
2. all other claims for relief in plaintiff's second amended complaint are dismissed with prejudice;
3. in the event plaintiff commences a new action, defendant may plead a statute of limitations defense to any such action; and

4. in the event a new action is commenced, discovery shall be reopened.

Dated this 9th day of January, 2013.

/s/ John Jelderks
Honorable John Jelderks,
United States Magistrate Judge

It is so stipulated:

Dated: January 9, 2013

GIBSON LAW FIRM, LLC

By: /s/ Jill Gibson Odell
Jill Gibson Odell, OSB No. 973581
Of Attorneys for Plaintiff

Dated: January 9, 2013

MERSEREAU SHANNON LLP

By: /s/ Peter R. Mersereau
Peter R. Mersereau, OSB No. 732028
Of Attorneys for Defendant